

**JOINT BOARD MEETING  
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,  
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS  
MADISON WI  
April 10, 2003**

**PRESENT:** Arno Haering, James Otto, James Dorn, Michael Ohberg, Robert Pertzborn, Donna Rozar, Lynda Farrar, Martin Hanson, Rick Van Goethem, James Rusch, Jay Fernholz, Ruth G. Johnson, Rick Rettler

**EXCUSED:** Dennis Cerreta, Karen Kalishek, Nancy Sobczak, Dale Paczkowski, Robert Hoskins, Bernie Abrahamson

**GUESTS:** William Babcock

**STAFF PRESENT:** Otis Nicksion, Bureau Director; Mary Forseth (for part of the meeting) Wayne Austin, Legal Counsel; Pamela Meicher, Program Assistant

**CALL TO ORDER**

Jay Fernholz called the meeting to order at 9:03 a.m. A quorum of 13 members was present.

**AGENDA**

Additions to the Agenda:

2002 License Statistics  
Top 10 Strategies for successfully pursuing legislative change  
Regions II and IV NCARB Regional Meeting notes

**MOTION:** Donna Rozar moved, seconded by James Rusch, to approve the agenda as amended. Motion carried unanimously.

**MINUTES – November 14, 2002**

Amendments to the Minutes:

Page 4 – Under Designers; change the name Donna Rozar to James Dorn. The last sentence should be “The Section reviewed and approved 32 applications for certification as Designers of Engineering Systems”.

**MOTION:** James Dorn moved, seconded by James Otto, to approve the minutes of November 14, 2002 as amended. Motion carried unanimously.

**MOTION:** Donna Rozar moved, seconded by James Otto, that the meeting minutes reflect accurate information. Motion carried unanimously.

### **ELECTION OF OFFICERS**

**MOTION:** Ruth G. Johnson moved, seconded by Rick Rettler, to unanimously nominate and elect Jay Fernholz as A-E Joint Board Chair. Motion carried unanimously.

**MOTION:** James Dorn moved, seconded by Lynda Farrar, to unanimously nominate and elect Rick Van Goethem as A-E Joint Board Vice-Chair. Motion carried unanimously.

**MOTION:** James Rusch moved, seconded by Rick Rettler, to unanimously nominate and elect Ruth G. Johnson as A-E Joint Board Secretary. Motion carried unanimously.

### **ADMINISTRATIVE REPORT**

Otis Nicksion, Bureau Director introduced himself. He spent the last thirteen years in the social services industry in program coordination. He spent two years at Children's Hospital where he developed and coordinated a violence prevention program for children. Mr. Nicksion then worked at the Greater YMCA of Milwaukee where he coordinated and ran the supportive services program for the Housing Board and other programs to support indigent people that were receiving W2 funds through the agency. Otis Nicksion looks forward to working with the Board.

### **Joint Board Roster**

Add Michael Ohberg's email [mohberg@c1.waukesha.wi.ws](mailto:mohberg@c1.waukesha.wi.ws).

The Board discussed their concerns about having a quorum for their meetings due to vacancies. Mr. Nicksion advised the Board to forward any candidates who would like to serve on the Board to contact the Governor's office directly on their website [www.wis.gov](http://www.wis.gov).

**MOTION:** James Rusch moved, seconded by Donna Rozar, to approve the roster as amended. Motion carried unanimously

### **2003 Meeting Dates**

The meeting dates for the A-E Joint Board were reviewed and approved.

**MOTION:** Donna Rozar moved, seconded by James Otto, to approve the 2003 meeting dates as published. Motion carried unanimously.

**Summary Reports On Pending Court Cases, Disciplinary Cases And  
Administrative Rules And Monthly Press Release**

Wayne Austin, Legal Counsel advised the Board that the Sarko's case appeal was denied. The license was suspended and certification was denied.

**SECRETARY/DEPUTY SECRETARY INTRODUCTIONS**

Secretary Donsia Strong Hill gave an overview of her professional background. She indicated there is a need for the Department to become more technologically advanced, fix the website and improve the IVR system. Secretary Strong Hill would like to see more cross training in the credentialing department and do something different on how our Attorneys and DOE can better track associated costs and assess fees. The Secretary would also like to see building improvements.

Deputy Secretary Mary Schlaefer introduced herself to the Board. Deputy Secretary Schlaefer worked 13 years in the Department of Justice and most recently handled DRL cases. Ms. Schlaefer would like to work with DOE, the Boards and the department to improve the speed of disciplinary cases to ensure public health and safety. Ms. Schlaefer would also like to see credential holder cases worked expeditiously. The Deputy Secretary will be working the day to day operations of the department and sees Board training and improving and or building on the support the department gives to the Board as top priorities

Christopher Klein, Executive Assistant and Legislature Liaison worked for candidate Doyle's campaign and worked as his personal assistant. Mr. Klein also has worked for Senator Kohl.

Cathy Pond has 35 years of civil service experience and is being appointed from within the Department of regulation and licensing. Ms. Pond began with DRL in 1991 as an Administrative Assistant Supervisor and most recently was central services supervisor for renewals.

Patricia Hoeft, Division Administrator of Board Services worked most recently as the assistant director of St. Norbert College Alumni and Parent Relations. She is a former commissioner for the Oneida Gaming Commission. Over a ten year period, Ms. Hoeft served in various positions within the Oneida Tribe of Indians including legislative analyst and manager of the Legislative Reference Office.

Division of Management Services Administrator Cris Selin is an information technology professional with 20+ years of experience in business operations and computer system implementations. An accomplished manager and leader of project teams, she most recently served as a human resource information systems consultant and project engagement manager in companies across the nation in a variety of industries, including financial institutions, retail, insurance, legal, government, investment banking, telecommunications and utilities.

Division Administrator of Department of Enforcement Sandra Rowe is an attorney and has held state jobs as a rate analyst, an auditor, a budget and policy analyst and various management positions. Ms. Rowe looks forward to working with the Board.

Secretary Donsia Strong Hill discussed the building conditions. Mary Schlaefer has been negotiating building renovations at the current location with Mullens. Ms. Schlaefer is also discussing options with the Department of Corrections for possible space at their building. The other consideration in the decision is the parking.

Secretary Strong hill said that the Department hopes to restructure the employees in such a way so that there is cross training. The department wants to make sure that the exam testing done is appropriate, uncompromised and it adequately tests. The department is negotiating to get a fee study done. The department has also been asked to cut ten positions as part of the government reduction program. The department hopes to accomplish the layoff plan with retirements and not filling vacancies.

The three goals the Secretary hopes to achieve in the near future are the IT initiatives, getting applications on line and the decision made for the location of the agency.

The Board introduced themselves. The Board has great concerns for all the vacancies on the Boards. The Secretary said that recommendations for Board members should be sent to either Christopher Klein or her.

Secretary Strong Hill discussed how Mary Forseth will be working on a study of the Regulatory Digest. Ms. Forseth will be collecting information to determine who is responsible for the Regulatory Digest and whether all Boards want to continue with the publishing. Ms. Forseth is also heading up a rapid response team to deal with the press.

## **LEGISLATIVE UPDATE**

### **ADMINISTRATIVE RULES**

The rules for Experience Requirements Only have been drafted for the Architects, Engineers and Designers and have been sent to the Legislative Review Board for drafting.

The draft to promulgate rules for continuing education for all sections has been sent to the Legislative Reference Bureau.

The Professional Engineering Section issue to eliminate exam reviews has been sent for drafting.

Darwin Tichenor of the Exam office discussed the charges for the National Review of test exams. Costs include the National review charge of \$225, the \$50 charge for the department to oversee the test and the \$28 charge for the actual review. Elimination of the review would require changes in RL 4.05.

## **RULES COMMITTEE REPORT**

Jay Fernholz referenced the handout “Top 10 Strategies for Successfully Pursuing Legislative Change”, that was handed out at the meeting.

### **Architectural Intern – Architect Section**

James Otto wanted to recognize the efforts of an intern’s time and effort. He proposed that the Board adopt AE 3.03 (5) relating to the Architectural Interns effective 06/01/03.

**MOTION:** Donna Rozar moved, seconded by James Rusch to adopt AE 3.03 (5) relating to Architectural Interns effective 06/01/03. Motion carried unanimously.

### **Sanctions for Cheating on Exams – Engineers Section**

Lynda Farrar reported that the rules covering sanctions for cheating on exams are being drafted. Ms. Farrar said that there are no specifics on restrictions to taking future exams. Some Boards state in their rules that if caught cheating, the student would be barred from taking the next six scheduled exams.

### **Standards Testing- Engineers Section**

The proposed Administrative Rule would require applicants to sit for a Wisconsin statutes and rules examination to demonstrate knowledge of relevant statutes, rules and regulations relating to the practice of professional engineering in Wisconsin. This would be a taken home, open book exam.

### **Eliminate Option For Exam Review – Engineers Section**

NCEES has changed their testing from subjective to objective. Previous tests included essays and the current exam is multiple choice. NCEES no longer allows exam reviews because of this change. Wisconsin would like to follow NCEES in their decision to eliminate exam reviews; however, our Statutes require a review. A statutory change request is currently at the Legislative Reference Bureau. Wayne Austin informed the Board that the statutes always prevail over rule language. This rule proposal will be tabled until a statutory change can be made.

## **SECTION REPORTS**

### **Architects**

James Otto suggested that Board members read the Regions II and IV NCARB meeting notes from the regional meeting held March 13-15, 2003, where he was re-elected NCARB regional Vice Chair.

Mr. Otto said that the Architects Section is looking at continuing education; requirements, costs, how to regulate and gathering information on what other jurisdictions have done, along with pushing the architectural intern rule forward. The Section currently has two vacancies.

### **Designers**

James Dorn reported that the Section January 16, 2003 meeting was cancelled. The Section has approved all 2003 meeting dates.

### **Land Surveyors**

Rick Van Goethem reported the Section has three active members and two vacancies. The Section is currently working on the issues of cheating on exams; the new rule effective 06/01/03 requiring credits, changes to continuing education requirements and reviewing their exams for possible changes.

James Rusch stated CLARB conferences held in Anchorage and in Orlando discussed exam security and cost of examinations. Mr. Rusch suggested that the state get bond insurance to cover exam costs should any student compromise the test by selling questions, etc.

### **Landscape Architects**

Jay Fernholz reported that the Landscape Architects Section has one vacancy. The section meeting on 02/12/03 was cancelled for not having a quorum. The Section is currently pursuing rule changes for continuing education. Landscape Architects are also looking at changing from title protection to a practice act. Most states will accomplish this change by 2010.

Mr. Fernholz reported that registration for the CLARB (Council of Landscape Architects Registration Boards) Board of Directors Spring Regional meeting for next March needs to be completed in February.

Jay Fernholz discussed that CLARB is working toward computer exams. A Beta test by Lazar Grade will be held in August, with regional exam locations.

The Section is also addressing the experience requirements (BA plus two years of experience, before sitting for the exam.)

The annual meeting will be held in Salt Lake City in September. The main issue covered will be exam security.

### **Professional Engineers**

Lynda Farrar reported that the Profession Engineers Section has one vacancy. The last Board meeting was held at the UW School of Engineering in Madison to provide faculty and students an overview of the licensure process.

The section is currently working on the security of exam reviews and repealing the statute requiring exam reviews.

### **EXAMINATION ISSUES**

The Board discussed what tools are allowed when taking exams. The Landscape and Engineer Sections both allow scientific calculators and standard pencils. The Engineer test sites are alternated.

### **MISCELLANEOUS CORRESPONDENCE/INFORMATION**

#### **Unauthorized Practice of Law, Update**

Wayne Austin, Legal Counsel briefly discussed the Unauthorized Practice of Law minutes from the State Bar of Wisconsin Board of governors meeting held November 8, 2002, regarding recommendations by the bar's Multijurisdictional Practice Committee. Mr. Austin was unable to find any indication that the state Supreme Court had taken any action on the recommendations, and the matter appears to remain in limbo.

### **SUCH OTHER ITEMS AS AUTHORIZED BY LAW**

The Board asked Wayne Austin, Legal Counsel about the potential liability of individual board members for damages caused by acts performed while serving on an examining board. Mr. Austin provided Board Members with a copy of a memorandum from William Dusso, General Counsel of the Department of Regulation and Licensing addressing Board Member liability.

Under established Wisconsin law, public officers are immune from personal liability for acts performed as public officers.

### **ADJOURNMENT**

**MOTION:** Donna Rozar moved, seconded by Lynda Farrar to adjourn the meeting at 11:49 a.m.

**NEXT MEETING: July 16, 2003**